

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6041

BILL NUMBER: HB 1265

DATE PREPARED: Feb 5, 2002

BILL AMENDED: Feb 4, 2002

SUBJECT: Criminal Records of Juveniles.

FISCAL ANALYST: Valerie Ruda

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FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill provides for the sealing of criminal history data, concerning an act committed by a person before the person became 18 years of age, ten years after the person was last adjudicated a delinquent child. The bill provides that this provision does not apply to a person who: (1) is convicted of a sex offense, a crime of violence, arson as a class D felony, cruelty to animals as a Class D felony, multiple OWI offenses, causing serious bodily injury when operating a motor vehicle, or dealing narcotics; (2) is serving a sentence for a felony conviction at age 22; (3) is arrested for a felony after the person becomes 18 years of age; or (4) has been convicted of a felony within ten years of the person being adjudicated a delinquent child.

Effective Date: July 1, 2002.

Explanation of State Expenditures: (Revised) Under current Indiana law, the Indiana State Police Department is required to maintain a state central repository of criminal history data. In fulfilling the requirement of this bill, the State Police would incur additional expenses by writing a computer program and adding one employee to review an additional 200 criminal records per week. The computer program would cost \$170 to write, and the cost for an additional employee would be approximately \$26,000 annually.

The funds and resources required for the position above could be supplied through a variety of sources, including the following: (1) Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently being used in another program; (3) Authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) Funds that, otherwise, would be reverted; or (5) New appropriations. As of July 2001, the State Police Department had 116 vacant civilian positions throughout the agency, with 43 of the vacant positions within the Bureau of Support Services. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Explanation of State Revenues:

Explanation of Local Expenditures: Criminal and juvenile justice agencies would also be required to seal criminal history data of certain individuals. It is not likely these agencies would incur additional administrative expenses due to this provision.

Explanation of Local Revenues:

State Agencies Affected: Indiana State Police.

Local Agencies Affected: Criminal and Juvenile Justice Agencies.

Information Sources: Steve Hillman, Indiana State Police, (317) 232-8204; Public Safety Matters Evaluation Committee: Issues Relating to the Indiana State Police, LSA July 2001.